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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/799,862

03/12/2004

Albert Rodriguez

M-15632 US

1724

32605

7590

11/27/2006

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EXAMINER

ARTHUR JEANGLAUD, GERTRUDE

ART UNIT

PAPER NUMBER

3661

DATE MAILED: 11/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/799,862

Applicant(s)

RODRIGUEZ, ALBERT

Examiner

Gertrude Arthur-Jeanglaude

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Response to Amendment***

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6-7, 11-15, 17-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tognazzini (U.S. Patent No. 5,914,675) in view of Timothy et al. (U.S. Pub No. 20030114206).

As to claims 1, 15, 18, Tognazzini discloses a portable device (10) as shown in Fig.1 comprising a keypad (26) being pressable by a user; a microcontroller (24a) as shown in Fig. 1 coupled to the keypad; a Global Positioning System (GPS) sensor (14, 16) coupled to the microcontroller; and a display (64) coupled to the microcontroller, wherein the microcontroller is operable to direct the GPS sensor to request and receive first location coordinates of a first location of the user when the user presses the keypad (See col. 5, lines 5-20, 66-67-col 6, lines 1-10), store the first location coordinates (See col. 4, lines 54-58), direct the GPS sensor to request and receive second location coordinates at a second location when the user presses the keypad (See col. 10, lines 44-47; Tognazzini discloses storing any received location data; therefore it is assumed that more than one location data can be requested); Tognazzini fails to specifically disclose compare the first and second location coordinates and cause the display to

indicate information directing the user from the second location to the first location. In an analogous art, Timothy et al. disclose a portable device wherein it discloses the comparison of a first location and a second location and display (See paragraph 0033). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Tognazzini with that of Timothy et al. by comparing the locations in order to provide acquired information.

As to claim 2, Tognazzini discloses the first location is a location of a stationary vehicle (See col. 6, lines 5-11).

As to claim 3, Tognazzini discloses all wherein the keypad discloses comprises first and second buttons, wherein a first button when pressed would help causing the microcontroller to direct the GPS sensor to request and receive location coordinates of the stationary vehicle location and store the stationary vehicle location coordinates; the second button causing the microcontroller to direct the GPS sensor to request and receive second location coordinates at the second location and compare the stationary vehicle and second location coordinates and cause the display to indicate information directing the user from the second location to the stationary vehicle location (See col. 10, lines 44-47; Tognazzini discloses storing any received location data; therefore it is assumed that more than one location data can be requested).

As to claims 6-7, 13, 14, 19, 21, 23, Tognazzini discloses a display (64) as shown in Fig. 1 wherein one would have a liquid crystal display or light emitting diodes to indicate at least power activated state, a location search activated state; and also

discloses an audio generator (29, 36b) as shown in Fig. 1 to emit sounds to the user indicating a distance to the stationary vehicle location.

As to claim 11, Tognazzini discloses a user device as shown in Fig.1 wherein it is obvious to use a power button for on/off control of the device.

As to claim 17, Tognazzini discloses the Global Positioning System comprises a satellite (See Fig. 1; abstract).

As to claims 12, 22 Tognazzini discloses all and more specifically disclose the microcontroller uses encrypted, firm-coded language to perform each function (decoding encoding see Fig. 1).

As to claims 4, 20 Tognazzini discloses the portable device as shown in Fig. 1 wherein one of ordinary skill would by design choice implement any size of housing such as that of a width of 1(1/2)", a length of 2" and a height of ½ for a more compact portable device.

Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tognazzini and Timothy et al. in view of Luper (U.S. Patent No. 6,011,461).

As to claims 8-10, Tognazzini and Timothy et al. disclose all but fail to specifically disclose a digital compass coupled to the microcontroller to determine a direction and distance of the vehicle location coordinates to the second location. In a related art, Luper discloses a GPS and distance and direction (See col. 2, lines 28-41; col. 5, lines 54-67) wherein one of ordinary skill in the art at the time of the invention would use a digital compass to determine position and direction/distance.

Claims 5, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tognazzini and Timothy et al. in view of Boesch et al. (U.S. Patent No. 6,438,382).

As to claims 5, 16, Hampton discloses all but fails to specifically disclose that the device is implemented as a key chain. In a related art, Boesch et al. disclose the portable device may be any sort of devices (See col. 12, lines 22-36). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Hampton with of Boesch et al. by having a different of devices in order to determine position.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

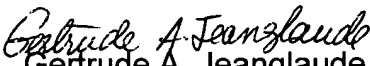
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gertrude Arthur-Jeanglaude whose telephone number is (571) 272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3661

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Gertrude A. Jeanglaude  
Primary Examiner  
AU 3661